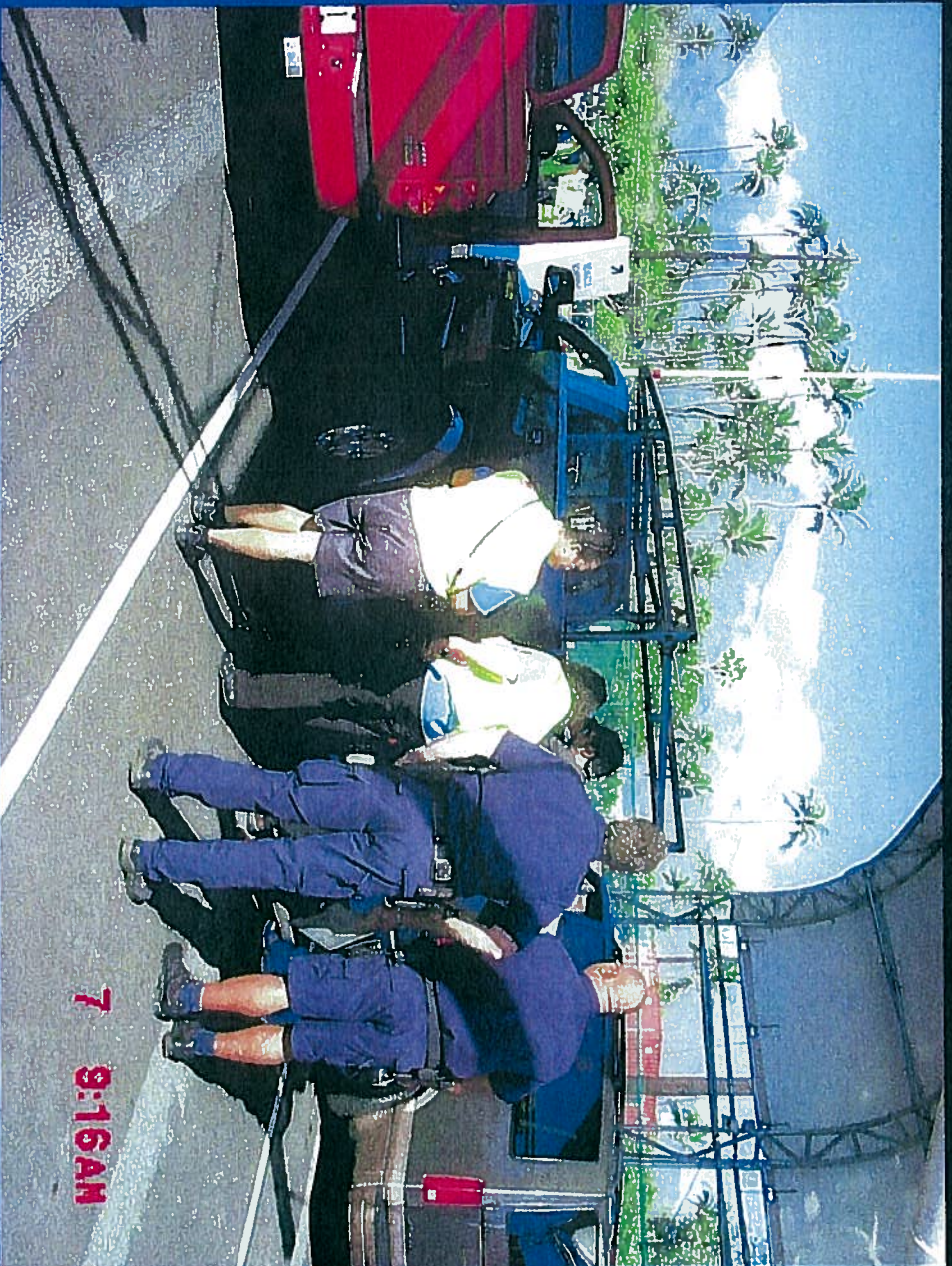


Vehicles waiting for check-in inspections





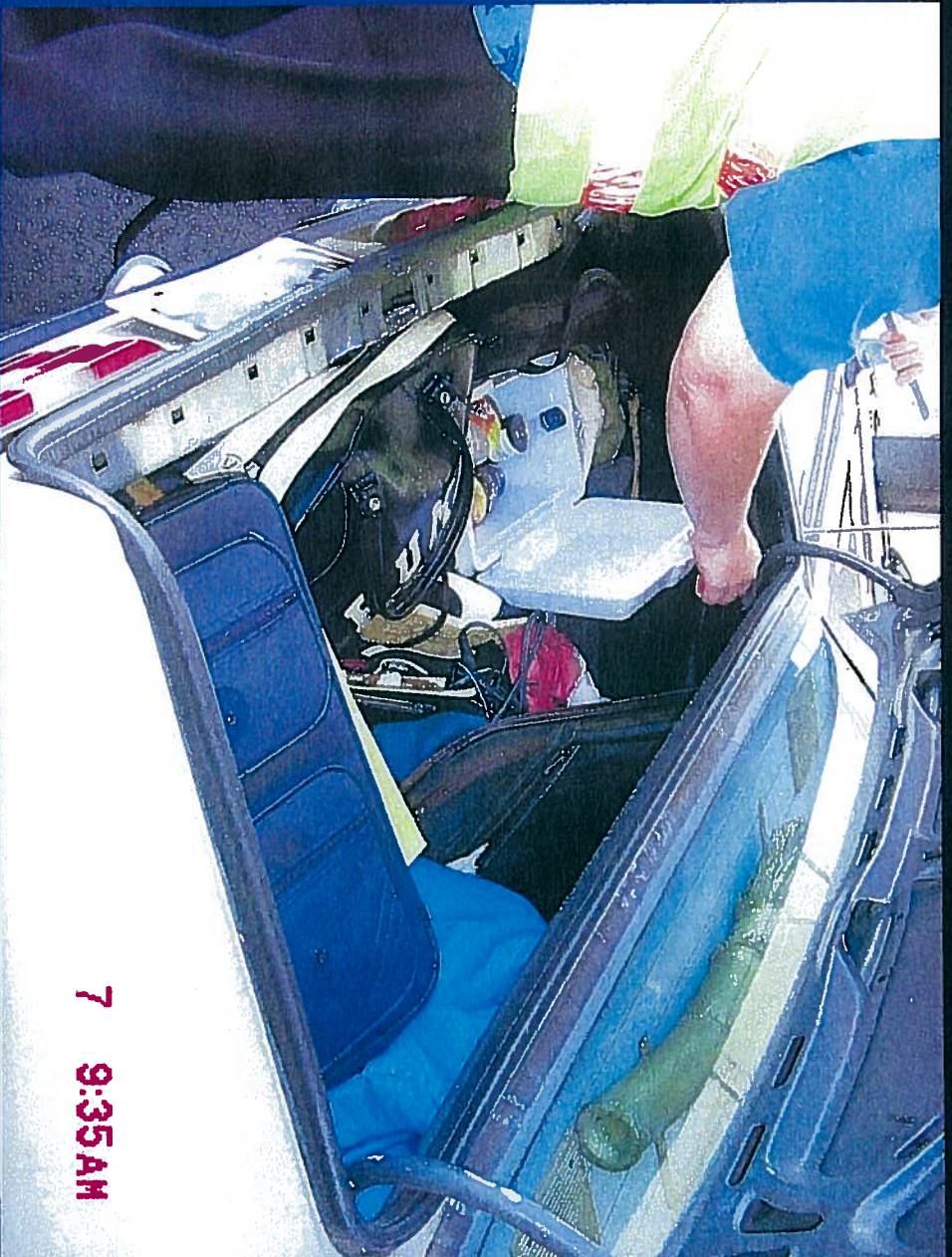
Truck being inspected





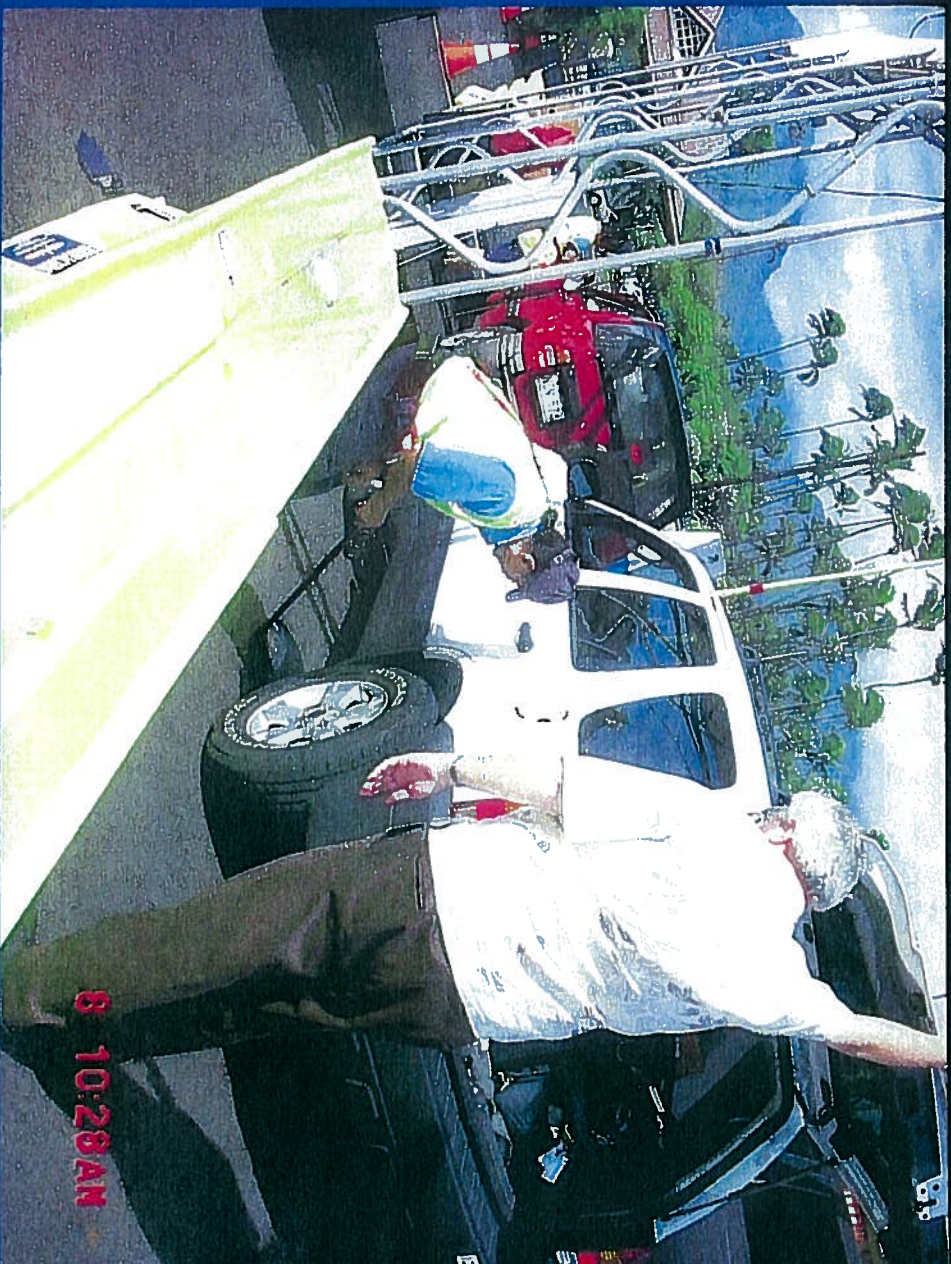
Vehicle Inspection





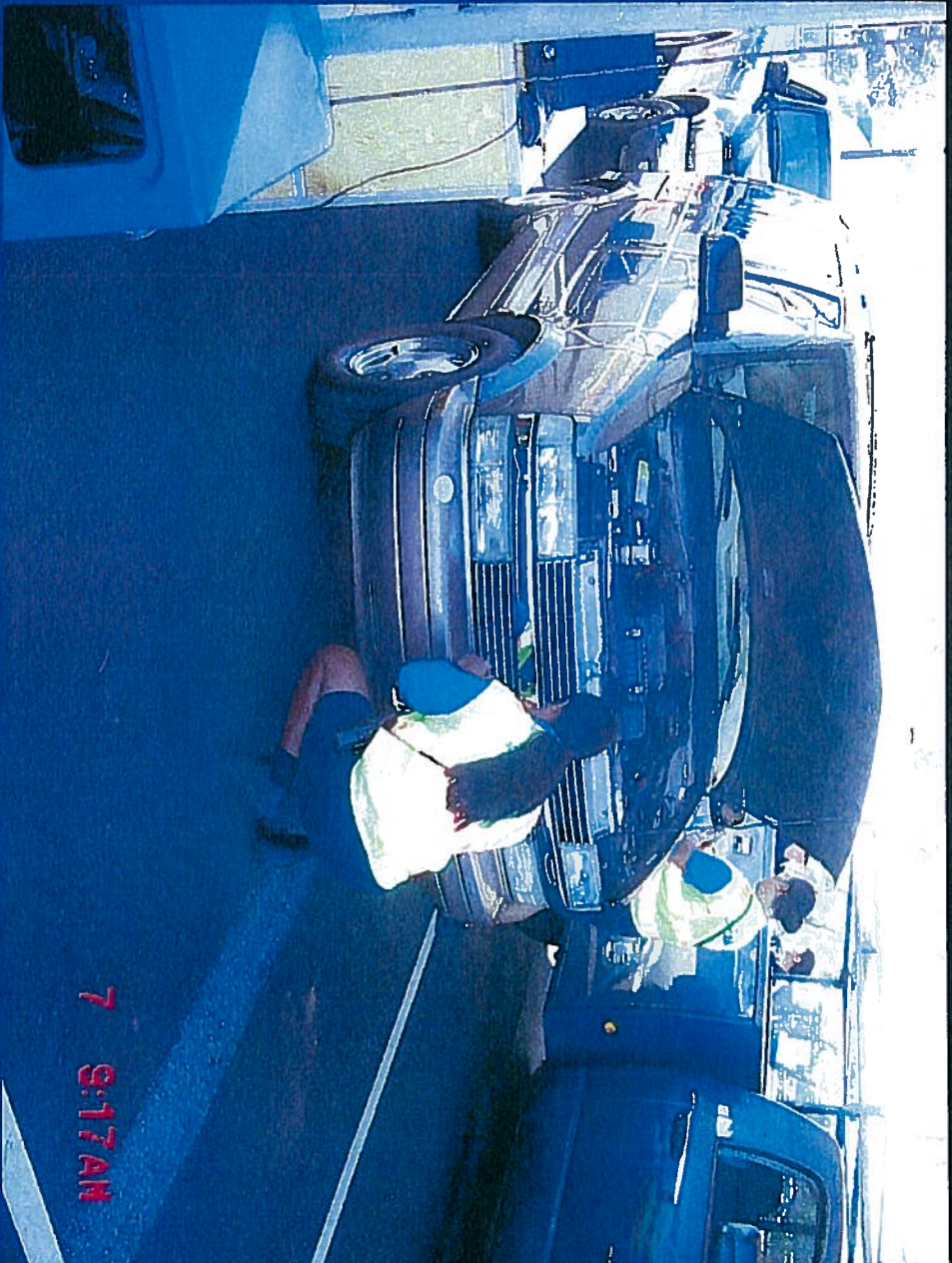
Inspection





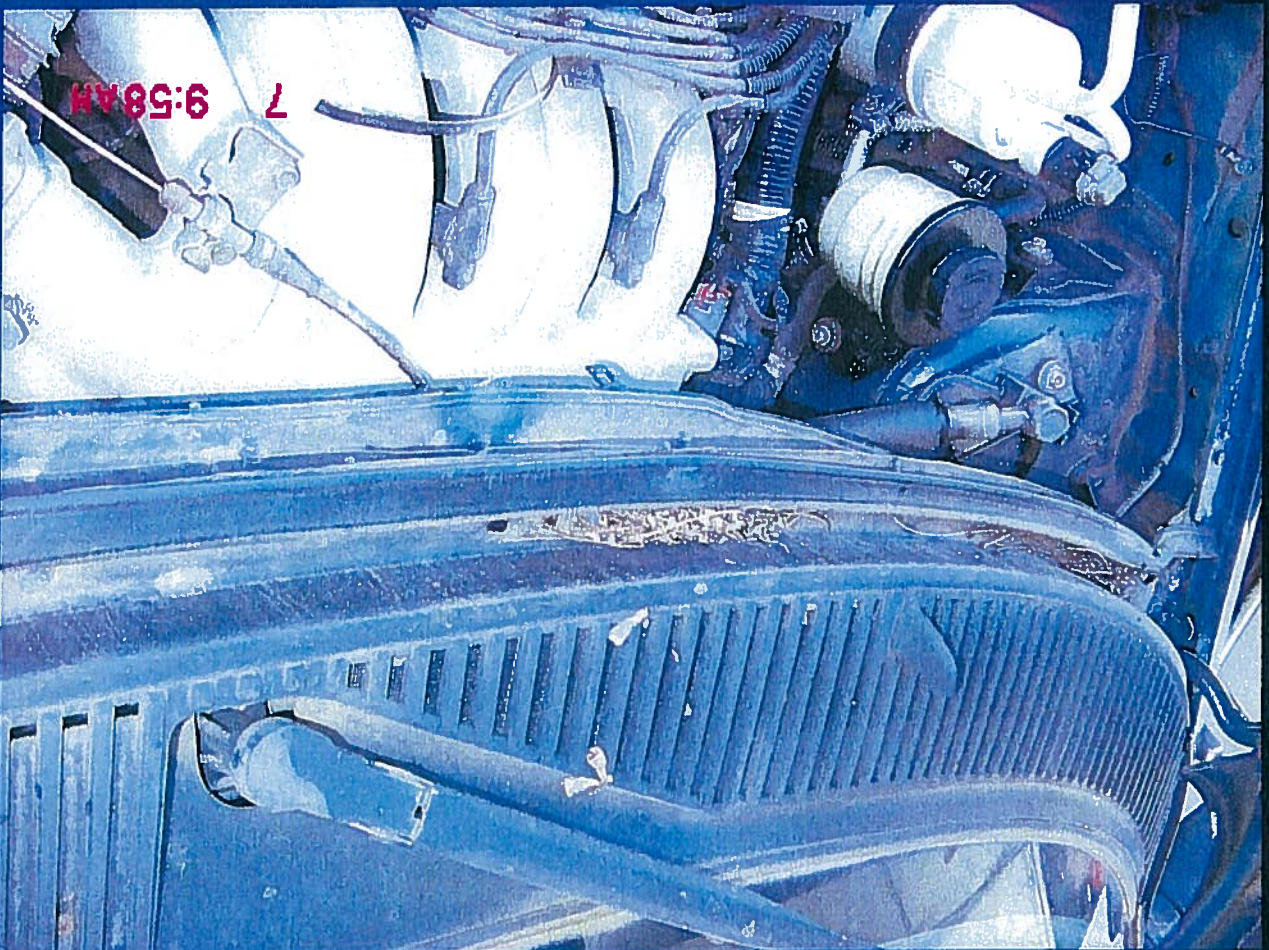
Undercarriage Inspection





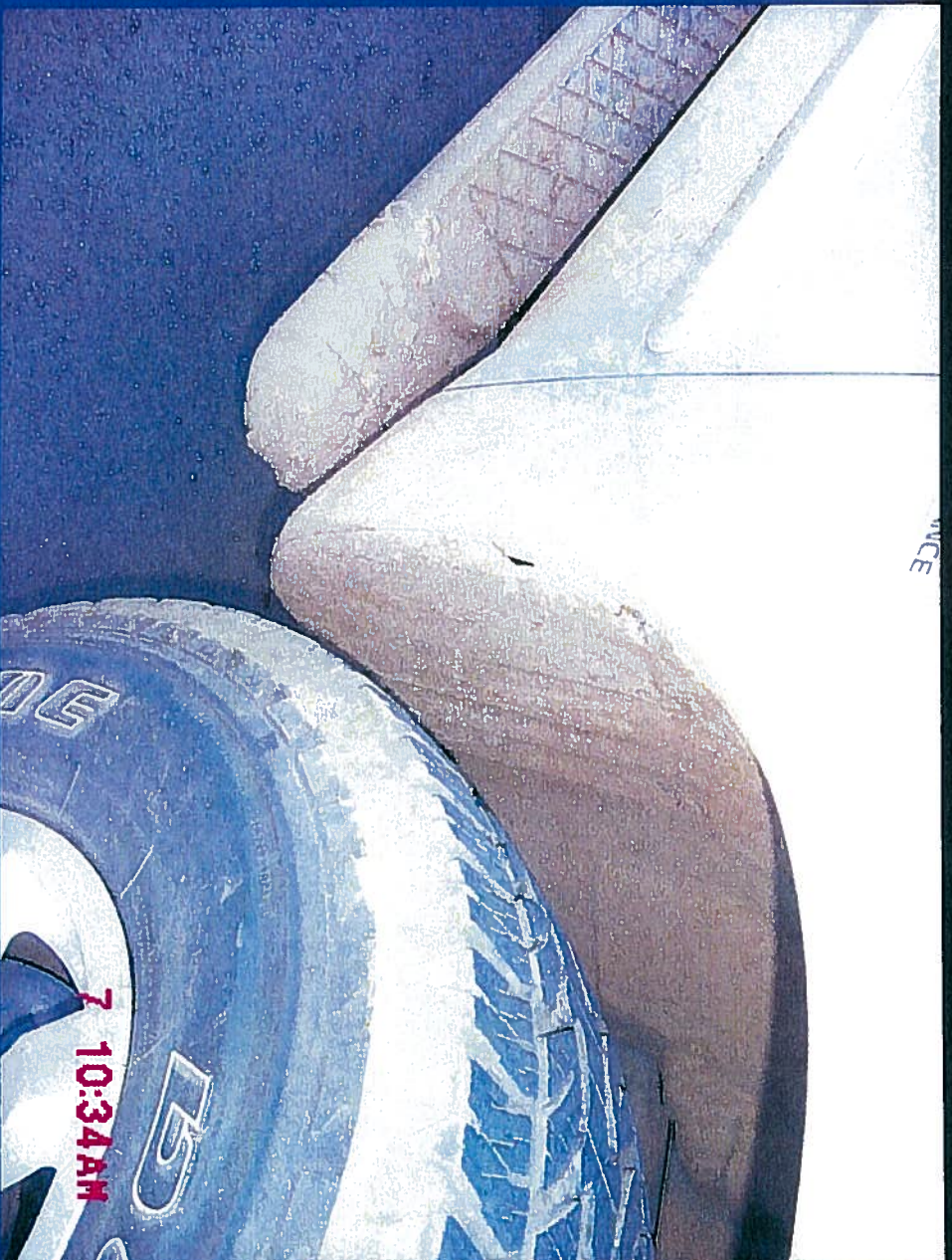
Removal of dead bee





Under hood inspection  
revealed too much debris.  
Cleaned prior to boarding.





Excessive dirt / mud





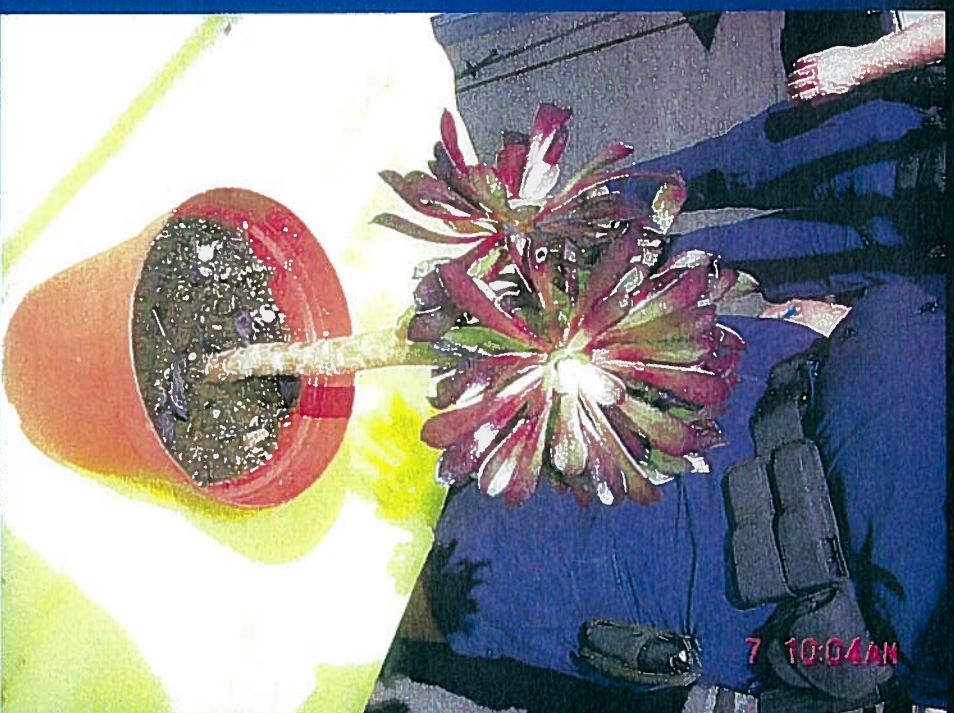
Excessive Mud/Dirt





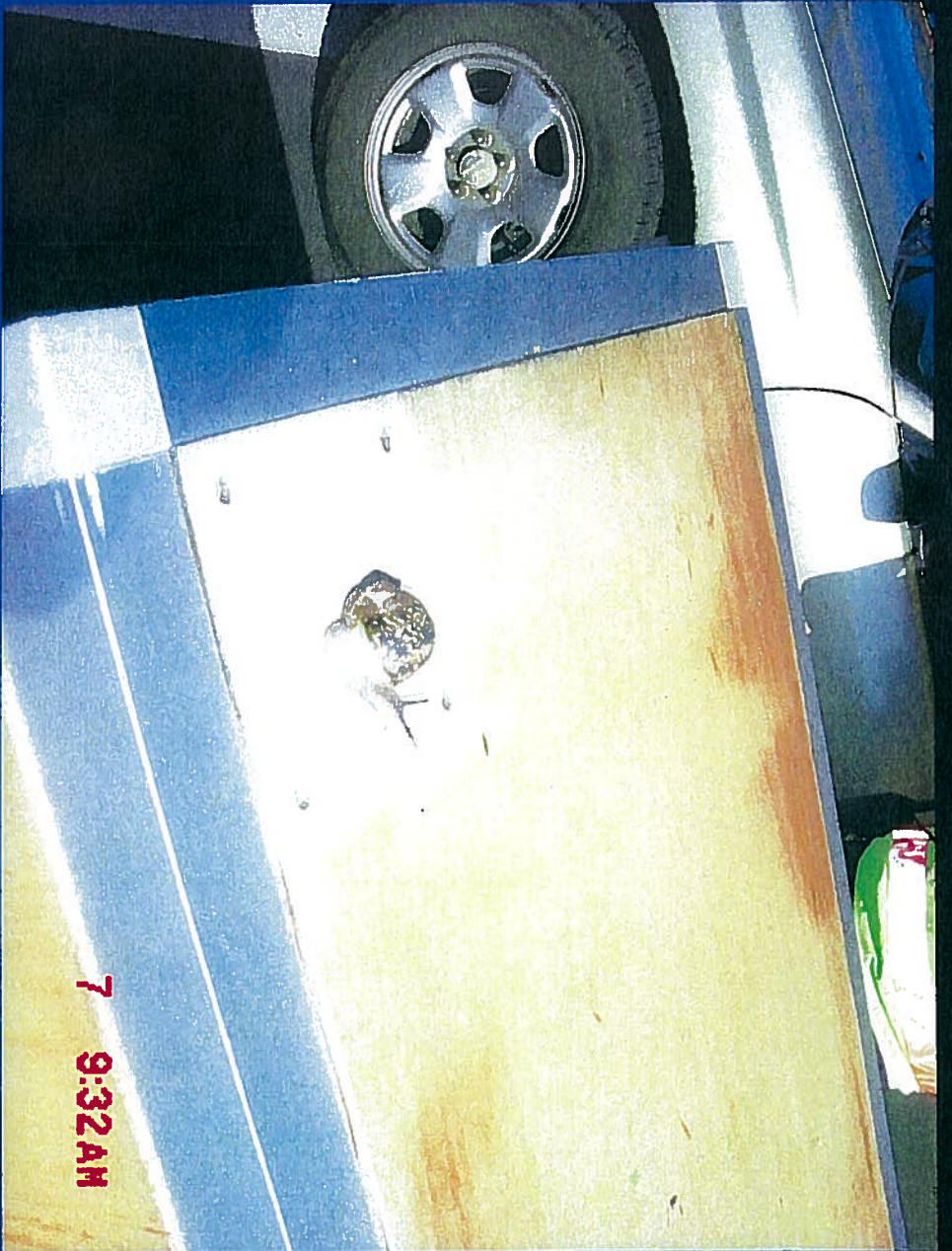
Excessive leaves and plant matter





Potted plant recovered during random screening





Snail





Lava Rocks





One bag opihī





Kona crab nets





Handguns





## **HAWAII BEEKEEPERS' ASSOCIATION**

3081G Paty Drive, Honolulu, Hawai'i, 96822;

Tel: 808-988-7203; FAX: 808-988-5161; [mmkliks@hawaii.rr.com](mailto:mmkliks@hawaii.rr.com)

Visit our Web site at [www.hawaiibeekeepers.org](http://www.hawaiibeekeepers.org)

### **MEMORANDUM**

**RE: REQUEST TO SERVE HAWAII SUPERFERRY WITH OF A NOTICE OF VIOLATION UNDER PQ INTERIM RULE 07-1**

**DATED:** February 7, 2008

**FROM:** Michael M. Kliks, PhD, President

**TO:** Sandra Kunimoto, Chair, Department of Agriculture, State of Hawaii

Aloha: It has come to our attention that honey bees have been discovered on many vehicles on many voyages of the Hawaii Superferry when those vehicles were inspected by Hawaii Superferry staff during embarkation in the presence of monitors from the State Department of Agriculture, Plant Quarantine Branch. We have also been informed that vehicles are not inspected at the time that they disembark at ports on the other islands and that no vehicles are inspected at all when they board the ferry at ports on other islands.

The Hawaii Superferry will be sailing to Maui on a daily basis. Given the reported frequency that O'ahu-originating vehicles were found to be harboring honey bees, the large number of vehicles per voyage, the large number of voyages, the fact that not all vehicles undergo a comprehensive inspection prior to loading, and the fact that no vehicles are inspected upon disembarkation, the probability is very high that of one or more honey bees are being transported from O'ahu to another island each week. This situation poses an unacceptable risk to our industry and to diversified agriculture in general.

In transporting "any live or dead honey bees" from O'ahu to the other islands the Hawaii Superferry would be committing multiple violations of the Plant Quarantine Interim Rule 07-1 which you signed, and was promulgated on August 28, 2007. As stated in the rule, "Pursuant to Section 150A-14, HRS, violation of the interim rule is a misdemeanor subject to a fine of not less than \$100 and not more than \$10,000 per violation. For a



second offence committed within five years of a prior offense, the fine shall not be less than \$500 and not more than \$25,000."

We believe that the evidence available to both the HBA and to the HDOA is sufficient to conclude that the Hawaii Superferry is shipping vehicles and other cargo to other islands in full knowledge that there are honey bees present on those vehicles, or cargo, when they disembark at ports on other islands. We believe also that the Hawaii Department of Agriculture must reasonably assume that this is occurring.

We therefore, request that the Department of Agriculture investigate this matter thoroughly by **inspecting vehicles during the voyages and at disembarkation at other ports**, and, if violations are found, that the HDOA serve the Hawaii Superferry corporation with a Notice of Violation and Order to cease and desist, and impose upon it the maximum fines for every instance of violation.

Your timely response to this request will be appreciated.



LINDA LINGLE  
Governor



SANDRA LEE KUNIMOTO  
Chairperson, Board of Agriculture

DUANE K. OKAMOTO  
Deputy to the Chairperson

PHONE: (808) 832-0566  
FAX: (808) 832-0584

STATE OF HAWAII  
DEPARTMENT OF AGRICULTURE  
Plant Quarantine Branch  
1849 Auliki Street  
Honolulu, Hawaii 96819

## PLANT QUARANTINE INTERIM RULE 07-1

### Restrictions on the Intrastate Movement of Any Live or Dead Honey Bees, or Used Bee Equipment, Except by Permit Issued by the Hawaii Department of Agriculture

Under authorization granted in Section 150A-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture ("Department") hereby establishes this interim rule to impose a quarantine on the intrastate movement of any live or dead honey bees, or used bee equipment. This quarantine is necessary to prevent the spread of the recently-discovered Varroa mite, a serious pest of honey bees, to uninfested islands within the State of Hawaii ("State").

The island of Oahu has been determined to be infested by the Varroa mite. Intrastate movement of any live or dead honey bees, or used bee equipment from or within Oahu, or from any island or island area subsequently determined by the Department to be infested with Varroa mite, is prohibited. Intrastate movement of any live or dead honey bees, or used bee equipment is allowed only by permit upon the determination of the Department Plant Quarantine Branch Manager that the proposed movement is from or within an uninfested island or island area to another uninfested island/area or to an infested island, and subject to permit conditions established by the Plant Quarantine Branch to maintain an effective quarantine. The decision whether to issue a permit allowing intrastate movement will be made case-by-case, based on the known facts and risks of Varroa mite spread at the time of permit application.

The ban on movement does not apply to and no permit is required for the movement or transport of the following articles by duly authorized Department employees or agents: (1) dead honey bees from a sampling point to any area within the State for purposes of analysis if the specimens are preserved in a chemical solution that exterminates the Varroa mite; or (2) used bee equipment if the equipment is treated by an approved method that exterminates the Varroa mite.

Pursuant to Section 150A-14, HRS, violation of this interim rule is a misdemeanor subject to a fine not less than \$100 and not more than \$10,000 per violation. For a second offense committed within five years of a prior offense, the fine shall not be less than \$500 and not more than \$25,000.

This interim rule is valid for no longer than one year from the date of issuance.

Dated at Honolulu, Hawaii this 28th day of August, 2007

A handwritten signature in dark ink, appearing to read "Sandra Lee Kunimoto", written over the printed name and title.

SANDRA LEE KUNIMOTO  
Chairperson, Board of Agriculture

Effective August 28, 2007



808-878-1874

DICK MAYER

①

SCREENING

- 3 ROCK TAKERS (AUGUST) - NOT YET PROSECUTED
- AGRICULTURAL INSPECTIONS - NO CITATIONS
- ITEMS (CONTRABAND) FOUND; WHAT TO GETTING THROUGH?
- IF SCREENING REDUCED, WILL MORE GET THROUGH
- AT GATE, GIVE LIST AND PROVIDE 'AMNESTY BOX'
- PENALTIES W/ VIOLATIONS

Recommend  
Recommend

②

EIS STATUS - SCOPING MEETING?

BELT, COLLINS  
KALEX PATTERSON  
= CULTURAL

③

RAPID RISK ASSESSMENT REPORT WHEN?

④

VIDEOTAPE - THIS IS A 'GO DAY.'

SPOTTING WHALES

- CARS

- ANIMALS IN CARS

- SAFETY OF PASSENGERS (STATE LIABILITY?)

⑤

WHAT ARE THE COSTS? SEGMENTATION

WHO IS PAYING?

COST OF AGRIC. INSPECTIONS

COST OF DO CARE

THIELEN "WE NEED TO BE STRATEGIC."

COST OF TASK FORCE

COST OF "RAPID RISK ASSESSMENT GROUP" \$250,000

COST OF EIS

COST OF TRAFFIC CONTROL

COST OF TUGS IN KAHULUI HARBOR \$350,000  
3 MONTHS

DISPLACEMENT OF YOUNG BROS. LANDLORDS

NIGHT 2ND TRIP WILL DOUBLE SOME COSTS

⑥

DEBT REPAYMENT

AUG 12,700

DEC 21,400

⑦ KAHULUI HARBOR EXPANSION